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CERTIFICATE OF MAILING (37 C.F.R. §1.8)

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on or before November 16, 2009.

11-16-09
Date

William L. King III
William L. King III

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Tonar et al.
Examiner : Alicia Toscano
Serial No. : 10/085,434
Group Art Unit : 1796
Confirmation No. : 4510
Filed : February 28, 2002
Attorney Docket No. : GEN-001323 C3
Title : ELECTROCHROMIC LAYER AND DEVICES
COMPRISING SAME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME

Dear Sir:

In accordance with 37 CFR §1.136, Applicant respectfully requests an extension of the period in which to file the response to the Office Action having an Official mailing date of May 15, 2009, relative to the above-identified patent application, for an additional three months, from August 15, 2009, up to and including November 16, 2009.

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In accordance with 37 CFR §1.136, Applicant respectfully submits that a response was originally required to be filed on or before August 15, 2009, a period of three months from the mailing date of the Office Action; that the above-identified patent application is not involved in an interference proceeding; and that Applicant hereby submits PTO Form 2038 in the amount of \$1,110.00 for payment of the extension fee, pursuant to 37 C.F.R. §1.17(a)(3). Accordingly, Applicant petitions for acceptance of the presently requested three month extension of time.

If any other charges or fees must be paid or credited in connection with this communication, they may be paid out of Deposit Account No. 50-2131.

Respectfully submitted,

KING & PARTNERS, PLC

Dated: 11.16.09

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